

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE EASTERN DISTRICT OF TENNESSEE**

**JACQUELINE YOUNGER,**

**Plaintiff,**

**vs.**

**Case No: 3:20-cv-528**

**LOWE'S HOME CENTERS, LLC,**

**Jury Demand**

**Defendant.**

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**NOTICE OF REMOVAL**

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Comes now the Defendant, Lowe's Home Centers, LLC, (hereinafter "Lowe's"), by and through its undersigned counsel, pursuant to 28 U.S.C.A. Section 1441, et seq., and respectfully removes the above-styled cause of action to Federal Court as follows:

1. The above styled cause of action was commenced by Plaintiff filing a Complaint on or about November 6, 2020, in the Circuit Court for Knox County, Tennessee. A copy of the Plaintiff's Complaint in that action is attached to this Notice as Exhibit A. Lowe's was served on November 16, 2020; less than thirty (30) days prior to filing this Notice. A copy of the Summons and Notice of Service of Process is attached as Exhibit B.

2. In the Complaint, Plaintiff asserts a liability claim for civil damages against Lowe's. Plaintiff alleges she was injured after she slipped and fell on ice while was walking on a common area at the Lowe's store located at 210 N. Peters Road in Knoxville, Tennessee. The Plaintiff alleges that Lowe's negligently failed to maintain the premises in a reasonably safe condition, allowed a dangerous and defective condition to exist, and through the exercise of reasonable care should have known that the ice in question created an unreasonable risk of harm to those at the premises. Plaintiff claims that as a result of Lowe's negligence she suffered severe physical injuries as well as mental suffering. In her

Complaint, Plaintiff seeks compensatory damages from Lowe's in an in excess of amount of Twenty-Five Thousand Dollars (\$25,000.00). Medical bills provided by Plaintiff's counsel show that as of October 6, 2020, Plaintiff had medical bills totaling over One Hundred Thousand Dollars (\$100,000.00).

3. At the time of the commencement of this action, Plaintiff was, and is now believed and alleged to be a citizen and resident of South Carolina. The sole member of Defendant Lowe's Home Centers, LLC, is a North Carolina Corporation doing business in the State of Tennessee.

4. As a result of the complete diversity of citizenship of the parties, and the fact that Plaintiff has sued Lowe's in the amount, exclusive of interest and costs, exceeding \$75,000.00, Lowe's submits that pursuant to 28 U.S.C.A. Section 1441, et seq., it is entitled to have this action removed to this Honorable Court.

5. Less than thirty (30) days have elapsed since Lowe's was served with a Summons and a copy of the Complaint in the above-styled cause of action.

WHEREFORE, Lowe's hereby removes the above-styled cause of action from the Circuit Court for Knox County, Tennessee, to the United States District Court for the Eastern District of Tennessee, Northern Division.

Respectfully submitted this 15<sup>th</sup> day of December, 2020.

s\Clint J. Woodfin  
CLINT J. WOODFIN (BPR #016346)  
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### **CERTIFICATE OF SERVICE**

I hereby certify that on December 15<sup>th</sup>, 2020 the Clerk of Court was requested to file a copy of the foregoing Notice. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may access this filing through the Court's electronic filing system.

s/ Clint J. Woodfin

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